

# Summary of Changes to CCGH draft rules

## Article 1

### R9-3-101. Definitions

- Added the following definitions to improve clarity:
  - capacity (replaces “certified capacity”)
  - child care experience
  - child with special needs (replaces “special needs child”)
  - designated agent
  - documentation
  - fall zone
  - immediate
  - outbreak
  - supervision
- Deleted the following definitions:
  - activity area (no longer used)
  - Arizona T3 training (no longer used)
  - assistant provider (no longer used)
  - association or cooperative (no longer used)
  - business (not needed)
  - certified area (no longer used)
  - certified capacity (no longer used)
  - child care (not needed)
  - Child Protective Services (not needed)
  - clock hour (no longer used)
  - closely-related field (no longer used)
  - contiguous grounds (no longer used)
  - corporation (not needed)
  - crib (not needed)
  - criminal history affidavit (no longer used)
  - custody documents (no longer used)
  - emergency contact (not needed)
  - evening and nighttime care (no longer used)
  - excess liability insurance (no longer used)
  - factory-built building (not needed)
  - family style (not needed)
  - fever (not needed)
  - file (not needed)
  - full-day care (no longer used)
  - general liability insurance (no longer used)
  - governmental entity (not needed)
  - grass (not needed)
  - health care provider (no longer used)
  - individualized plan (no longer used)
  - infant care (not needed)
  - inspection (not needed)
  - laboratory evidence of immunity (not needed)
  - Level I (no longer used)
  - Level II-A (no longer used)
  - Level II-B (no longer used)
  - limited liability company (not needed)

- local (not needed)
- local health agency (not needed)
- local health officer (no longer used)
- locked (not needed)
- manufactured home (not needed)
- mobile home (not needed)
- naptime (no longer used)
- 1-year old (not needed)
- 1-year-old-child care (not needed)
- part-day care (no longer used)
- partnership (not needed)
- play pen (not needed)
- program (term no longer used)
- proof of immunity (no longer used)
- reference (no longer used)
- registered nurse (no longer used)
- residential building (no longer used)
- resilient surface (not needed)
- S\*CCEEDS (no longer used)
- school-age-child care (no longer used)
- serious injury (no longer used)
- service classification (no longer used)
- soft (not needed)
- special needs child (no longer used)
- supervised (replaced with “supervision”)
- tuberculosis control officer (no longer used)
- wading pool (not needed)
- Amended the following definitions:
  - applicant (consistency with statute)
  - business organization (refer to statutory definition)
  - certificate holder (eliminate redundancy)
  - change in ownership (clarification)
  - compensation (clarification)
  - corporal punishment (clarification)
  - discipline (clarification)
  - enrolled child (clarification)
  - field trip (clarification)
  - hours of operation (clarification)
  - inaccessible (clarification)
  - infant (clarification)
  - mat (clarification)
  - person (refer to statutory definition)
  - personal items (clarification)
  - premises (clarification)
  - residence (clarification)
  - school-age child (clarification)
  - separate (clarification)
  - space utilization (clarification)
  - staff member (clarification)
  - swimming pool (refer to rule definition)
  - training (clarification)

**R9-3-102. Time-frames**

- Removed references to certificate renewal
- Changed references to “residence” to “premises”

**Table 1.1 Time-frames (in days)**

Renamed Table

**R9-3-103. Individuals to Act for Applicant or Certificate Holder**

- Clarified and simplified requirements
- Deleted extraneous language consistent with other rule changes

**Article 2****R9-3-201. Application for a Certificate**

- Clarified, reorganized, and simplified requirements
- Removed redundant list of eligibility requirements for applicant
- Removed requirement for applicant to have high school diploma, high school equivalency diploma, associate degree, or bachelor degree
- Replace requirement for applicant’s Social Security number with applicant’s date of birth
- Added requirement for applicant to specify the requested capacity
- Replaced requirement for applicant to specify service classification with requirement to specify hours of operation
- Removed requirement for list of rooms to be used for child care services
- Moved requirement for applicant to specify the name of the provider, if different from the applicant
- Removed requirements for applicant to affirm that applicant has authority to sign and that no controlling person has been denied a certificate or license or has had a certificate or license revoked for reasons related to endangering health and safety of children
- Replaced with requirement for applicant to state whether the applicant or any controlling person has been denied a certificate or license to operate a child care facility or group home or had a certificate or license revoked and, if so, to provide information
- Added requirement for applicant to attest to compliance with local zoning laws
- Removed references to mobile homes, manufactured homes, and factory-built buildings
- Added requirement for applicant to show proof of legal residency
- Removed requirement for applicant to designate on floor plan the location of each telephone
- Added requirements related to A.R.S. § 36-897.01(B)
- Clarified and simplified information required for a business organization
- Removed requirements for submitting information about staff members and residents (requirements to obtain fingerprint clearance cards, etc. for staff members and adult residents are still in R9-3-202)

**R9-3-202. Fingerprinting Requirements**

Clarified, reorganized, and simplified requirements

**R9-3-203. Certification Fees**

No change

**Old R9-3-207. New R9-3-204. Invalid Certificate**

No change

**Old R9-3-204. New R9-3-205. Changes Affecting a Certificate**

- Clarified, reorganized, and simplified requirements
- Added requirement for certificate holder to notify the Department of a change in the certificate holder's name
- Removed requirement to submit child care group home's street address, mailing address, and telephone number when requesting a change in space utilization or capacity
- Clarified when a floor plan is required
- Added requirement for site plan if changing space utilization that affects the outdoor activity area
- Removed requirement related to service classifications

**Old R9-3-205. New R9-3-206. Inspections; Investigations**

- Removed language that restates statute
- Clarified language consistent with other rule changes
- Moved requirements about gas inspections to R9-3-504
- Moved requirements about insurance to new R9-3-306
- Removed requirements related to mobile homes, manufactured homes, or factory-built buildings

**Old R9-3-206. New R9-3-207. Denial, Revocation, or Suspension of a Certificate**

- Clarified, reorganized, and simplified requirements
- Removed criteria for denying, revoking, or suspending a certificate that is duplicative, unnecessary, or covered under the added requirement for complying with any provision in A.R.S. Title 36, Chapter 7.1, Article 4 or these rules

### **Article 3**

**R9-3-301. Certificate Holder and Provider Responsibilities**

- Clarified, reorganized, and simplified requirements
- Removed duplicative requirements and requirements related to S\*CCEEDS
- Added requirements moved from current R9-3-302, R9-3-303, R9-3-304, R9-3-305, and R9-3-306
- Added another method for an individual to qualify as a provider
- Added another method for an individual to qualify as a staff member acting on behalf of the certificate holder when the provider is not present at the child care group home (formerly known as assistant provider)
- Made requirements for staff members and residents related to tuberculosis, immunizations, and exclusion during outbreaks consistent with Department policy
- Simplified contents of files for staff and files for residents
- Specified time periods for maintenance of files and records, moved from R9-3-305(B)
- Consolidated requirements to provide information to parents by adding requirement to prepare and provide to parents a document containing administrative information and notices for parents
- Simplified list of information required to be posted
- Added that a staff member with current training in first aid and CPR is also present during hours of operation when an enrolled child is on a trip away from the premises
- Clarified requirements related to outside employment or other business on the premises during hours of operation
- Clarified requirement to notify the Department when the child care group home will be closed and added a requirement for notification if the premises are unoccupied during hours of operation

**R9-3-302. Staff Training**

- Moved qualifications for providers and staff members formerly known as assistant providers into R9-3-301

- Moved requirements for providers into R9-3-301
- Clarified and simplified staff training requirements, previously in R9-3-303
- Added requirements for training in preparing, serving and storing food and, if applicable, formula or breast milk; in sun safety; and in procedures for trips away from the premises, if applicable
- Removed options for Arizona T3 training and one credit hour of college or university coursework for on-going training, since they could be mechanisms by which the required training could be obtained, rather than specifying the subjects for training
- Removed care and teaching of young children, involving and communicating with parents, sun safety, outdoor activity area safety, and business administration and management as topics of on-going training since sun safety was added to initial training, care and teaching of young children and outdoor activity area safety may be covered under other listed topics, and business administration and management does not directly address the health and safety of children
- Clarified requirements for CPR and first aid training

#### **Old R9-3-303. Staff Member Qualifications**

Moved requirements, as applicable, into R9-3-301 and R9-3-302

#### **Old R9-3-304. Resident Qualifications**

Moved requirements into R9-3-301

#### **Old R9-3-305. Recordkeeping Requirements**

Moved requirements, as applicable, into other Sections

#### **Old R9-3-306. Staffing**

Moved requirements into R9-3-301

#### **Old R9-3-307. New R9-3-303. Enrollment of Children**

- Clarified, reorganized, and simplified requirements
- Removed duplicative requirements
- Removed requirement for providing child's home phone number; parent's work addresses; mailing address for a parent in a shelter for victims of domestic violence; name of parent's employer; address of child's physician/health care provider; and information about preferred hospital
- Replaced requirement for home and work phone numbers for parents with a requirement for a contact telephone number
- Allowed name and telephone number of physician assistant or registered nurse practitioner to be provided in place of physician information
- Clarified written authorization for emergency medical care of the child, instructions provided by a child's parent for the nutritional and dietary needs of the child, and requirements for health maintenance
- Removed references to custody documents
- Added requirements for maintaining Emergency, Information, and Immunization Record Cards

#### **Old R9-3-308. New R9-3-304. Enrolled Child Immunization Requirements**

- Clarified, reorganized, and simplified requirements
- Substituted the documentation that constitutes "proof of immunity" for the defined term
- Removed requirement for provider to check status of immunizations every three months

- Added requirement to update Emergency, Information, and Immunization Record Card when parent provides an immunization update, moved from current R9-3-305
- Added a requirement to exclude an enrolled child without proof of immunity during a disease outbreak at the group home

**Old R9-3-310. New R9-3-305. Admission and Release of Enrolled Children**

- Clarified, reorganized, and simplified requirements
- Added requirement for maintenance of enrolled child's attendance record to this Section, moved from old R9-3-305 (A)(4)
- Removed requirement to not admit an enrolled child if the child's presence will cause a violation

**Old R9-3-309. New R9-3-306. Insurance Requirements**

- Clarified, reorganized, and simplified requirements
- Removed a requirement for excess liability insurance
- Substituted a requirement for "documentation" of general liability or motor vehicle insurance for a certificate of general liability insurance
- Removed requirement for providing notice to parents of a waiver in insurance for physical or sexual abuse of an enrolled child

**New R9-3-307. Pesticides**

Added requirements consistent with A.R.S. § 36-898

**Old R9-3-311. New R9-3-308. Illness and Infestation**

- Clarified, reorganized, and simplified requirements
- Removed Table 2
- Added requirement to maintain documentation of notification of staff and parents of an infectious disease, moved from current R9-3-305
- Moved exclusion of enrolled child to new R9-3-304 and exclusion of staff member or resident to R9-3-301

**Old R9-3-312. New R9-3-309. Suspected Abuse or Neglect of an Enrolled Child**

- Clarified, reorganized, and simplified requirements
- Removed requirement for provider to report suspected child abuse or neglect to the Department unless a staff member or resident is the suspected abuser
- Added requirement to maintain documentation of a report, moved from current R9-3-305

**Old R9-3-313. New R9-3-310. Medications**

- Clarified, reorganized, and simplified requirements
- Specified that parent signs authorization to administer medications
- Allowed prescription medications to be administered only from pharmacy-dispensed containers accompanied by a pharmacy-generated prescription label for the child
- Added that non-prescription medications can only be administered according to package directions unless a health care provider specifies otherwise
- Added that prescription medications used to treat a life-threatening conditions are not required to be locked up, only inaccessible to children

**Old R9-3-314 and R9-3-315. New R9-3-311. Accident and Emergency Procedures**

- Clarified, reorganized, and simplified requirements, combining two Sections into one
- Clarified what sterile bandages are required in the first aid kit

- Substituted requirement for disposable latex gloves with requirement for single-use non-porous gloves
- Clarified that either adhesive or self-adhering tape is allowed in a first-aid kit
- Separated requirements for situations that require and do not require medical treatment by a health care provider
- Added requirement to report death of an enrolled child, moved from current R9-3-302

## **Article 4**

### **R9-3-401. General Program, Equipment, and Health and Safety Standards**

- Clarified, reorganized, and simplified requirements
- Added requirements for supervision, interacting with children, and responding to a child's distress signals, moved from other Sections
- Removed requirement related to abuse or neglect that is redundant with statute
- Amended subsection to limit requirement to ensuring premises are free from hazards
- Replaced the general requirement for play materials and equipment with requirements for toys, materials, and equipment, compiled from other Sections
- Added a requirement for a quiet study area for school-age children
- Added requirements related to sun safety
- Moved requirements related to swimming to R9-3-503
- Added requirement for clean clothing to be available
- Added requirements for storing a child's personal items, changing clothes, and handling soiled clothes, moved from R9-3-506
- Added requirements related to application of personal products to an enrolled child's skin

### **R9-3-402. Supplemental Standards for Napping or Sleeping**

- Clarified, reorganized, and simplified requirements
- Moved references to infants placed on back to sleep, mechanical restraint, and use of positioning devices to R9-3-403
- Added requirements for when a staff member must remain awake and conditions during which a staff member may sleep, moved from current R9-3-407

### **R9-3-403. Supplemental Standards for Care of an Enrolled Infant or One- or Two-Year-Old Child**

- Clarified, reorganized, and simplified requirements
- Moved requirements for interacting with and responding to the child to R9-3-401
- Moved requirements for play materials and equipment to R9-3-401
- Amended subsection to limit requirement allowing child to maintain individual patterns of sleeping, waking, and eating to infants
- Removed duplicate requirement related to cribs
- Added requirement for infants to be placed on their backs to sleep and prohibition on the use of positioning devices, unless authorized by the infant's health care provider, or mechanical restraint, moved from R9-3-402
- Removed prohibition of feeding cereal by bottle
- Added requirements related to toilet training, moved from current R9-3-408

### **Old R9-3-404. Supplemental Standards for Care of an Enrolled 3-, 4-, or 5-Year Old Child**

Moved requirements for play materials and equipment to R9-3-401

### **Old R9-3-405. Supplemental Standards for Care of an Enrolled School-Age Child**

Moved requirements for play materials and equipment to R9-3-401

**Old R9-3-406. New R9-3-404. Supplemental Standards for Care of an Enrolled Child with Special Needs**

- Clarified, reorganized, and simplified requirements
- Removed requirements related to individualized plans and substituted requirement for obtaining written instructions for the enrolled child's care from the enrolled child's parent
- Clarified requirement for at least one staff member to receive instructions from the enrolled child's parent on how to interact with, feed, and care for the enrolled child and for documentation of the instruction to be maintained for 12 months after the child is disenrolled
- Clarified requirements related to tube-feeding
- Moved requirement for an enrolled child with special needs who uses a wheelchair to be cared for on the ground floor to R9-3-505
- Added requirement for a wheelchair used to transport an enrolled child in a motor vehicle be manufactured to be secured in a motor vehicle

**Old R9-3-407. Supplemental Standards for Evening and Nighttime Care**

Moved requirements for evening and nighttime care to R9-3-402

**Old R9-3-408. Toilet Training**

Moved requirements for toilet training to R9-3-403

**Old R9-3-409. New R9-3-405. Discipline and Guidance**

- Clarified, reorganized, and simplified requirements
- Amended how separation of an enrolled child for unacceptable behavior may be carried out
- Amended requirement related to disciplining of staff member's child

**Old R9-3-410. New R9-3-406. General Nutrition and Menu Standards**

- Clarified, reorganized, and simplified requirements
- Added requirement for whole milk for an enrolled child two years of age or younger and removed 2% milk as an option for older children, unless a parent requests otherwise
- Added food-specific requirements, moved from current R9-3-411
- Added a prohibition on any beverage sweetened with a sugar product being provided by the child care group home
- Removed the prohibition on serving high-sugar cereal more than twice each week
- Moved requirement for posting weekly menu to R9-3-301
- Updated and renamed Tables 3 and 4

**Old R9-3-411. New R9-3-407. General Food Service and Food Handling Standards**

- Clarified, reorganized, and simplified requirements
- Clarified when staff members are required to wash their hands during food handling and service
- Added that a provider ensures that the hands of enrolled children are washed after eating, as well as before
- Added that staff members teach habits of good nutrition
- Replaced requirement for a child's bottle or sippy cup to be labeled with the child's name with a requirement for labeling with an identifier specific to the child
- Moved food-specific requirements to new R9-3-406
- Amended requirement for how fresh milk is served
- Amended requirement for cleaning hands when soap and running water are not available

**Old R9-3-412 and R9-3-413. New R9-3-408. Trips Away from the Premises of a Child Care Group Home**

- Clarified, reorganized, and simplified requirements, combining two Sections into one



- Clarified that an enrolled child may not be taken on a field trip without written permission by the child's parent
- Added requirements for maintaining documentation related to field trips
- Clarified requirements related to motor vehicles used to transport enrolled children
- Added requirement for submitting to the Department a written report of an accident involving a motor vehicle transporting enrolled children
- Clarified requirements for a driver of a motor vehicle transporting enrolled children
- Clarified requirements for transporting enrolled children in a motor vehicle
- Clarified requirements for a staff member taking an enrolled child off the premises

## **Article 5**

### **R9-3-501. General Physical Environment Standards**

Clarified requirements

### **R9-3-502. Outdoor Activity Area Standards**

- Clarified, reorganized, and simplified requirements
- Increased the minimum size of the outdoor activity area for a child care group home from 375 square feet to 500 square feet and provided exception for existing group homes with less than 500 square feet
- Removed redundant requirements for easy access and accessibility by route not exposing an enrolled child to a hazard
- Clarified requirements related to surfaces under and around a climbing structure, swing, or slide
- Removed requirement that gate in the fence around the outdoor activity are be locked during hours of operation
- Removed an obsolete subsection

### **R9-3-503. Swimming Pool Standards**

- Clarified, reorganized, and simplified requirements
- Removed unnecessary requirement related to conformity to manufacturer's specifications and local ordinances
- Removed unnecessary requirement related to the construction of a pool fence
- Added requirement related to permission for swimming, moved from R9-3-401

### **R9-3-504. Fire Safety, Gas Safety, and Emergency Standards**

- Clarified, reorganized, and simplified requirements
- Grouped requirements related to fire extinguishers
- Grouped requirements related to gas lines, adding requirements moved from current R9-3-205
- Clarified requirements related to electrical cords
- Amended requirements related to wood-burning stoves, fireplaces, and chimineas
- Moved requirements related to heating and cooling equipment to R9-3-505
- Amended requirements related to smoking
- Moved requirements related to mobile homes, manufactured homes, and factory-built buildings to R9-3-505
- Amended requirements for a fire and emergency plan, including requirements moved from R9-3-505
- Added requirement for maintenance of records of fire and emergency evacuation drills, moved from R9-3-305

### **R9-3-505. General Safety Standards**

- Clarified, reorganized, and simplified requirements
- Clarified where enrolled infants, children younger than five years of age, and children who use wheelchairs may receive child care services

- Clarified when an enrolled child older than five years of age may receive child care services above or below the ground floor of the residence
- Added requirements for mobile homes, manufactured homes, and factory-built buildings
- Amended requirements related to glass surfaces
- Amended requirements related to the availability of an operable telephone
- Moved requirements related to emergency information to R9-3-504
- Clarified requirements related to the storage of hazardous materials
- Amended requirement related to window blind and curtain cords
- Amended requirement relating to fans, requiring fans to be inaccessible but not requiring them to be mounted
- Removed requirement for poisonous plants to be inaccessible
- Added requirement for air conditioners, evaporative coolers, heat pumps, and furnaces to be inaccessible

**R9-3-506. General Cleaning and Sanitation Standards**

- Clarified, reorganized, and simplified requirements
- Moved requirements for storing a child's personal items and handling soiled clothes to R9-3-401
- Amended requirement related to washing the hands of a child with special needs after toileting to allow a paper towel to be used
- Removed requirement for bathtubs, showers, bathroom floor, activity area floors, and kitchen floors to be cleaned and disinfected daily
- Removed unnecessary phrase related to removal of refuse

**R9-3-507. Diaper-Changing Standards**

- Clarified, reorganized, and simplified requirements
- Clarified requirements for diaper changing surfaces
- Added requirement that water must be accessible within 10 feet of where diaper changing is performed
- Added requirements for a daily diaper-changing log to be kept and the log maintained on the premises for 12 months
- Clarified that disposable wipes may be used to wash an enrolled child's hands after diapering
- Removed the requirement that the waterproof containers with tight covers used for storing soiled diapers be inaccessible to enrolled children
- Removed unnecessary phrase related to removal of refuse

**R9-3-508. Pet and Animal Standards**

- Clarified, reorganized, and simplified requirements
- Added requirement for documentation of current rabies vaccination to be maintained on the premises
- Amended requirements related to keeping reptiles